

## Meeting Minutes October 12, 2006

### Town of Los Altos Hills City Council Regular Meeting

Thursday, October 12, 2006 6:30 P.M.  
Town Hall Council Chambers, 26379 Fremont Road

#### 1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Warshawsky called the City Council Regular Meeting to order at 6:35 p.m. in the Council Chambers at Town Hall.

Present: Mayor Dean Warshawsky, Mayor Pro Tem Craig A.T. Jones, Councilmember Breene Kerr, Councilmember Jean Mordo and Councilmember Mike O'Malley

Absent: None

Staff: City Manager Carl Cahill, City Attorney Steve Mattas, Administrative Services Director Sarah Ragsdale, Planning Director Debbie Pedro, Public Works Director/City Engineer Henry Louie, Parks and Recreation Supervisor Tod McLemore, Public Safety Officer Steven Garcia and City Clerk Karen Jost.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Kerr and passed unanimously to limit comments from the floor to two minutes

#### 2. APPOINTMENTS AND PRESENTATIONS

##### 2.1 Appointment to the Westwind Community Barn Committee - 1 Vacancy

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Kerr and passed unanimously to appoint Colette Cranston to the Standing Westwind Community Barn Committee for a term of four years.

##### 2.2 Appointment of Associate Youth Commissioner – 1 Vacancy

Applicant Lisa Kellman introduced herself to Council and commented that she was interested in serving as the Town's Associate Youth Commissioner and could draw on her previous experiences with the Standing Community Relations Committee if appointed to the position. Kellman, a junior at Los Altos high school, has been a resident of the Hills for eleven years.

Council thanked Kellman for applying for the position and her offer to serve in this volunteer capacity.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Kerr and passed unanimously to appoint Lisa Kellman to the position of Associate Youth Commissioner.

2.3 Los Altos Hills Single Stream Recycling Program – John Zirelli, General Manager, Los Altos Garbage Company

John Zirelli, General Manager, Los Altos Garbage Company (LAGCo, commented that he was before Council in response to their request for a status report on the single stream recycling program that was currently being implemented by the company in the services provided to Los Altos Hills residents. Since the program was introduced, recycling volume was up and the volume of trash had decreased during the same period. In comparison to similar cities (geographical characteristics and primarily residential), the Town's recycling efforts were encouraging. Portola Valley's recycling percentages were higher and Zirelli attributed this to customer education especially programs targeted for school age children that were taught in the classrooms.

Zirelli spoke to the efforts of LAGCo to disseminate information to residential customers about the single stream program. During the next scheduled townwide clean-up event, company representatives will provide information to each participant. Additionally, the company has included recycling information in their newsletter included with all billings.

Following Council discussion, staff was directed to update the Town's website with a visible and easily accessible link to LAGCo's website to further facilitate consumer education on the availability of recycling alternatives available to LAH residents.

3. PLANNING COMMISSION REPORT

No report. Planning Director Debbie Pedro explained that the Planning Commission had not met since the last Council meeting. Their next meeting was scheduled for October 19, 2006.

4. CONSENT CALENDAR

Item Removed: 4.4 (City Clerk)

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Mordo and passed unanimously to approve the remainder of the Consent Calendar; specifically:

4.1 Approval of Minutes: Regular City Council Meeting September 28, 2006

4.2 Review of Disbursements: 9/20/2006 – 10/3/2006 \$770,958.76

4.3 Notification of Fast Track Approvals: Lands of Jung; 25810 Vinedo Lane, A Request for a Site Development Permit for a 998 square foot Second Unit (maximum height 21' 6"), a 1080 square foot Pool, 7,174 square foot Tennis

Court and Hardscape Improvements. (130-06-ZP-SD-GD) CEQA Review:  
Exempt per 15303 (a) and (e)

- 4.5 Adoption of Amendment to the Municipal Code to Increase the Limit for  
Purchases Which May Be Approved by the City Manager  
(SECOND READING) Ordinance 505

Motion to Waive Further Reading

Motion to Adopt Ordinance

- 4.6 Annual Approval of Investment Policy

Item Removed:

- 4.4 Adoption of Amendment to Resolution 82-06 Establishing Standing  
Committees and Adopting General and Special Rules Pertaining Thereto  
Increasing the Membership of the Westwind Community Barn Committee

City Clerk Karen Jost explained that the language in the draft resolution required a revision for the purpose of clarity. She proposed that the paragraph relating to the Westwind Community Barn Committee membership (page 9, item (i)) be amended to read; "The membership of this Committee shall consist of from seven (7) to twelve (12) members including two City Councilmembers who shall be voting members."

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Mordo and passed unanimously to adopt Resolution No. 104-06 as amended.

## 5. UNFINISHED BUSINESS

### 5.1 Town Goals

#### 5.1.1 Public Education: Bring the Future of Public Education to a Vote

- 5.1.1a Report on Ad Hoc Committee on District Reorganization  
(ADHCDR): Townwide Informational Meeting on School District  
Reorganization (November 15<sup>th</sup>) and Public Notification of Same  
(Through Townwide postcard notice)

Mayor Pro Tem Jones requested Council consideration of a standard postcard townwide mailing (noticed area to include the Town's Sphere of Influence) to publicize an informational meeting on school district reorganization. It would be an opportunity for citizens to give input and receive an update on the reorganization effort.

Council discussed the timing of the postcard notification and Councilmember attendance at the meeting. Mordo commented that he did not want the postcard delivered during the election. He believed that it might be perceived as "propaganda". Councilmember O'Malley queried if it was constructive to schedule the informational meeting prior to the December 7<sup>th</sup> scheduled hearing before the County Committee. He suggested that there might be more definitive information to offer residents after the hearing. Jones concurred that more would be understood

after the hearing; however, the purpose of the informational meeting was to provide an opportunity for people to offer their views prior to the hearing. O'Malley favored giving people at least 10 days notice of the meeting.

Council discussion ensued on the timing of the card. The City Clerk advised that if Council wishes were for residents to receive the postcard notification post election, she would mail it out on November 7<sup>th</sup>. She would also send a press release announcing the meeting to the local papers.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Mordo and passed unanimously to schedule a Special Meeting of the City Council for November 15, 2006; to direct the Ad Hoc Committee on District Reorganization to design/approve a suitable postcard to advise residents of the November 15<sup>th</sup> informational meeting; to authorize expenditure of the appropriate funds for the printing and mailing of the postcard to arrive after election day November 7, 2006.

5.1.2 Underground Utilities: Complete Pilot Projects and Assist Underground Assessment Districts

Discussed in conjunction with Agenda Item 10.1

5.1.3 Sanitary Sewers: Update and Implement the Master Plan

Discussed in conjunction with Agenda Item 8.3

5.1.4 Wireless Communications: Continue to Improve Townwide Cell Coverage

Discussed in conjunction with Agenda Item 5.2

5.1.5 Complete General Plan Review

Councilmember O'Malley reported that the Ad Hoc Committee had been meeting with Standing Committee members, representatives of the Purissima Hills Water District, and knowledgeable residents to garner input on water issues, soils and geological factors; clean air and energy sources for the General Plan update. The committee was making considerable progress on the project.

5.1.6 Develop Plan For and Begin the Process of Approval of the Building of a New Town Park/Recreation Facility

Parks and Recreation Supervisor Tod McLemore reported that the Parks and Recreation Committee were scheduled to review neighborhood parks and he would be providing a report to the Committee on Palo Alto's Briones Park to the committee for background purposes.

## 5.2 Consideration of Proposed Revisions to Town Policies on Wireless Communications Facilities

Planning Director Debbie Pedro introduced this item to Council. She noted that staff, at the direction of the City Council, had prepared an amendment to the Town's Wireless Communications Policy to allow applications to be processed under a ministerial permit. The amendment was before Council for their consideration. The revised policy would allow administrative review of collocation applications if the proposed project complied with the following requirement: 'The collocated antennas and ground equipment shall be mounted or installed within an existing tower, building, or structure where the physical appearance of the existing facility is not altered to accommodate the additional antennas and equipment.'

Pedro explained that the requirement that additional antenna arrays and ground equipment be installed within pre-existing structures with no visual alteration of the existing facility would ensure that the project was consistent with requirements established under the original use permit for the communications facility.

Mayor Pro Tem Jones offered that collocation of wireless facilities was non controversial and the proposed amendment to the review process was appropriate and consistent with the City Council's pro cell policy. There would be no incremental neighborhood impact if the revised policy were adopted. Jones requested that Council be kept apprised of project approvals.

Council discussed the option of council notification similar to Fast Track notification and the addition of an appeal process to the policy. Council consensus was that this additional step was not necessary. Collocation reduced the number of cell towers required to improve cell coverage in Town and the proposed policy change would encourage collocation on existing facilities.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Jones and passed unanimously to approve the proposed Wireless Communications Policy as presented in the staff report dated October 12, 2006 as Attachment 1.

## 6. NEW BUSINESS

### 6.1 Amendment to the Horse Lease Agreement for the Year Round Riding Program (YRRP) and Funding for Riding Programs

Parks and Recreation Supervisor Tod McLemore introduced this item to Council. The request before the City Council for their consideration was two fold: 1) to approve the amendment to the current horse lease agreement with Excursions Unlimited/Jane Kawasaki for the Year Round Riding Program that stipulated the Town's responsibility to pay stabling and pasture space rent at Westwind Barn; and 2) to authorize funding in the amount of \$8,408 to cover the shortfall in revenues versus expenditures for the Parks and Recreation horse riding programs.

Councilmember Mordo commented that after reviewing the existing contract from a financial perspective, he was uncomfortable that it was incomplete and did not record the Town's coverage of the stabling costs for the programs horses. He had requested Council

consideration of the contract amendment and the economic status of the program. Mordo reviewed the analysis of the fixed costs and revenues for the horseback riding programs that had been prepared by Administrative Services Director Sarah Ragsdale and appeared as Attachment 3 in the staff report.

Mordo suggested that the program was in its infancy and there were several methods that could be adopted to increase the revenues including an increase in non-resident fees and the addition of more sessions. He explained the issues that currently affected additional arena time for the programs and suggested that a long term solution would be construction of a third arena or covered arena.

Mordo recommended approval of the requests being proposed by the Parks and Recreation Department with the caveat that they investigate ways to increase the revenues including the option of revised fees for nonresident program participants.

Council discussed the proposal. Council consensus was that they were not opposed to subsidizing the programs. Mayor Pro Tem Jones requested information on the current status of availability of arena time for the program. McLemore offered that the Friends of Westwind had been cooperative and that Jane Kawasaki was satisfied with the accessibility of the arena for the programs.

Council directed the Parks and Recreation Department to investigate the option of increasing the fees for nonresidents as a means to reduce subsidy of the program. City Manager Cahill offered the revision would return to Council as a consent calendar item.

**MOTION SECONDED AND CARRIED:** Moved by Mordo, seconded by Kerr and passed unanimously to approve the amendment to the current horse lease agreement (Attachment 2) and to authorize temporary funding in the amount of not-to-exceed \$8,408 to cover the shortfall in revenues for the riding programs. Staff was directed to return with suggestions to increase revenues for the program at a future meeting.

## 6.2 Proposed Amendment to Title 4. Public Safety, Chapter 3. Traffic

City Manager Carl Cahill introduced this item to Council. In a post project review of the recent stop sign installations, staff had determined that there had been resident interest in notification prior to the installation of the signage. The signs had been installed on the basis of standard traffic engineering principles; but residents had expressed a desire to offer their opinions on the signs. Cahill noted that support for the installations had been expressed but there were also quite a few complaints with regard to the absence of any prior notice to the affected residents. Cahill proposed an amendment to the Town's Traffic Code that would establish an administrative Traffic Safety Review Committee and establish procedures for notifying residents when the Town proposed to install stop signs. Controversial stop signs would be forwarded to the City Council. He noted that no additional stop signs were being proposed at this time but that it seemed appropriate to amend the code prior to any project.

Council discussion ensued. Councilmember Mordo supported the proposal. He believed that it would offer the residents an opportunity to provide input on proposed signage. Mayor Pro Tem Jones commented that he preferred to have safety issues resolved by technical safety professionals and did not support their approval elevated to a political process with Council delegated to making the final decisions on stop signs. He concurred with the suggested notification of affected residents. Councilmember O'Malley agreed with Jones that he was not comfortable making stop signs a political issue and both favored administrative approval of signage.

City Manager Cahill explained that the proposal would establish a technical review body consisting of the City Manager, Police Chief and City Engineer and notifying procedures. Only controversial signs would be forwarded to Council and those issues are usually brought forward to Council.

MOTION SECONDED AND FAILED TO CARRY: Moved by Mordo, seconded by Kerr and failed to pass by voice vote to direct staff to draft the amendment to the Traffic Code as presented. AYES: Kerr, Mordo NOES: Jones, O'Malley, Warshawsky

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Jones and passed unanimously to direct staff to draft an amendment to the Town's Traffic Code to establish the Traffic Safety Review Committee consisting of the Police Chief, City Manager and City Engineer and establish procedures for notifying residents of the proposed signage with the final authorization for the signs designated to the Traffic Safety Review Committee. Any controversial signs or complaints would be adjudicated by the Traffic Safety Review Committee.

#### 7. REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES

Councilmember Kerr reiterated that the VTA was a good source of funding for pathway projects and commented that he was interested in hearing of any proposals of proposed paths. He announced that Anna Brunzell, Pathways Committee Member had been appointed and was now serving as the Town's official representative to the VTA's Bicycle and Pedestrian Advisory Committee.

Councilmember O'Malley reported that the Sewer Agreement with the City of Los Altos had been reviewed by the respective City Attorneys and was currently on the desk of the City Manager of Los Altos. He was hopeful that the agreement would be forwarded to Council in the near future.

#### 8. STAFF REPORTS

8.1 City Manager  
No report.

8.2 City Attorney  
No Report

### 8.3 City Engineer

#### 8.3.1 Moody Road Pathway

City Engineer Henry Louie provided a brief update to Council on the Moody Road Pathway Project. He shared a PowerPoint Presentation that identified the area that had been completed on Segment 1A and the section that had been delayed due to a back order of steel beam which required special fabrication. Louie expected construction to resume on this section of the pathway project in mid-November.

In response to a Council inquiry, he explained that the path curb height was currently being reviewed and discussions were underway with the Santa Clara Valley Water District to see if there could be a revision to their requirement.

Council discussed the path section near Hidden Villa that was maintained by the County. Councilmember Kerr offered that this would be an opportune time to enter into a cooperative relationship with the County to assist with maintenance of the pathway. The goal of the project was a useable path from Foothill College to Hidden Villa.

Louie advised Council that the Moody Road Pathway Segment 1B between Rhus Ridge Road and El Monte Road was currently being advertised and the bid opening was scheduled for October 31, 2006. Segment 1B Foothill College Bike/Pathway was also being advertised and the scheduled bid opening date was similarly October 31<sup>st</sup>. He expected the agreement between Foothill College and Los Altos Hills to be approved by the Trustees on November 6, 2006.

Louie provided a map of the Robleda Road Pathway between Wildcrest Drive and Atherton Court. The project was currently being advertised. Bid opening date was scheduled for October 31, 2006. The original construction cost for the project of \$280,000 had been substantially reduced by value engineering and the revised anticipated cost of the project was \$170,000.

Louie explained that he was hopeful that the concurrent advertising and bid opening of the three projects would encourage more contractor interest.

#### 8.3.2 Town Hall Solar Expansion Project

City Engineer/Director of Public Works Henry Louie reported that the Request for Proposals (RFP) for the Town Hall Solar Expansion Project had been sent out in late September. Staff had met with the Environmental Design and Protection Committee to discuss the scope of work.

Councilmember Mordo questioned if a cost benefit analysis had been performed for the project and it was noted that the project had not been approved by Council but was in its exploratory stage. Cost of the project was not yet determined but would benefit from rebates.



Councilmember Kerr explained that since the installation of the Cingular cell tower, at Town Hall, energy consumption had increased. The proposed solar expansion would accommodate power for the cell tower and EOC antennas.

Following discussion, staff was directed to include solar trackers as an option for the solar expansion. The item would return to Council for discussion and their consideration once staff had a project cost from the contractors.

### 8.3.3 Pine Lane Sanitary Sewer Diversion Project

City Engineer Louie provided a brief overview of the Pine Lane Sanitary Sewer Diversion Project to Council. The design of Phase I of the project, the construction of 1,100 feet of 8 inch pipe connecting the Los Altos Hills and Palo Alto sewer system, was located in the County portion of Foothill Expressway. The design has been reviewed by the County and comments were being incorporated into the project. For Phase II, the City of Palo Alto has requested that the Town upsize their existing pipe to accommodate the project or construct a new line parallel to the sewer main on Foothill Expressway. Staff had scheduled a meeting with Palo Alto officials to discuss this request.

## 8.4 City Clerk

### 8.4.1 Report on Council Correspondence

No Report

## 9. PRESENTATIONS FROM THE FLOOR

### OPENED PRESENTATIONS FROM THE FLOOR

No public comments.

### CLOSED PRESENTATIONS FROM THE FLOOR

## 10. PUBLIC HEARINGS

### 10.1 Consideration of Amendment to Add Territory to Existing Underground District 1A Boundary at Purissima Road from Samuel Lane to Minorca Court, Viscaino Road from Purissima Road to Roble Ladera Road and Viscaino Place

Mayor Warshawsky explained that before Council for their consideration was a proposed resolution to add territory to the existing Rule 20A Underground District No. 1A.

City Engineer Henry Louie commented that after review of the preliminary engineering evaluation done by staff and PG&E of the Town's underground pilot project, it was being recommended that the District area be amended to include Viscaino Place. This would accommodate the existing overhead facilities and structures in the area. Louie noted that the revision would provide an estimated additional twenty (20) to fifty (50) linear feet of undergrounded utilities.

Councilmember O'Malley requested that photographs be taken "before" and "after" to illustrate the project. Additionally, he suggested that it would be beneficial to maintain an outline of project costs for future use.

Louie explained that the construction reports and cost analysis of the pilot project would be used to develop a template for future resident undergrounding projects.

#### OPENED PUBLIC HEARING

Eve Straub, Viscaino Place, commented that she was thrilled that the utilities pole on her street was being included in the project.

#### CLOSED PUBLIC COMMENT

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by O'Malley and passed unanimously to Resolution 105-06 "Adding Territory to the Existing Underground District No. 1A."

#### 11. COUNCIL –INITIATED ITEMS

##### 11.1 Consideration of Councilmember Appointment to the Los Altos School District Bullis Campus Design Committee and Request for Meeting to Discuss the Development of Playfields and Implementation of Green Components at Bullis – Councilmember Kerr

Councilmember Kerr advised that he had requested this item be agendaized for discussion. Councilmembers had received a request via email from Superintendent Justus to participate in the committee that had been established to work with the School District's architect on the design for the Bullis campus. Several meetings were anticipated and the expectation was that the planning phase would be completed by December and forwarded to the State in January. Justus had also spoken to the issue of the development of playing fields and implementation of "Green Components" at the site and the possible partnering with the Town in those areas of the project.

Council briefly discussed Superintendent Justus's proposal. Councilmember Mordo expressed his confusion with the differing statements being released by the District regarding construction timelines and bond issues. Mayor Pro Tem Jones explained that District has authorized refinancing of the earlier bond measure and they have designated the realized funds to be allocated for the physical improvements of the Bullis campus equal to Phase I improvements of the other elementary schools. Construction was expected to begin in the summer of 2007 with school to begin in the Fall of 2008. Jones noted that there had been no formal vote of the District Board to have a public school at the site in '08 or any discussion of the type of school that would be located at Bullis.

Jones added that simultaneously the Board has been debating the facility for the Bullis Charter School. It is believed that if the Bond Measure was passed that would fund Phase

II of the improvements and eliminate all temporary structures (portables) on the campuses; it would trigger the legal obligation of the District to build a campus for the Charter school. As Phase II, additional money might be available for expansion of the Bullis campus to accommodate the school.

Jones offered that similar design committees had been formed for construction projects for the other campuses. He identified the Town's interests that he believed should be expressed to the District. They included: appropriate size of the school and facilities to accommodate community meetings; playing fields; and the impact on the neighborhood. Jones offered that there were a number of broad Town interests that should be discussed including the provision of education, type of school, recreation opportunities and the neighborhood before the green components of the site were addressed. He suggested that it would be appropriate for Councilmember Kerr to return to the Council with a report on these issues following the committee meeting.

Kerr concurred and offered that he would return to Council with a report on the committee discussions. He was hopeful that the campus architecture would be similar to Town Hall and appropriate for the community.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Mordo and passed unanimously to appoint Councilmember Kerr to serve as the Council representative to the Design Committee identified by Superintendent Justus for the Bullis campus.

The City Clerk was directed to notify Los Altos School District Superintendent Tim Justus of the Council appointment.

Councilmember Kerr advised Council that he would request the Committee's chair to present the plans for the campus at a future meeting.

Council adjourned to Closed Session at 8:30 p.m.

## 12. CLOSED SESSION

### CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

(Pursuant to Government Code section 54956.9(c))

Initiation of Litigation: One case

### CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Pursuant to Government Code Section 54956.9(a))

Carranza et al v. Friends of Westwind et al

Councilmember O'Malley abstained from discussion of this item.

Council reconvened to Open Session at 9:35 p.m.

No Action was taken

13. COUNCILMEMBER TRAINING – EMERGENCY OPERATIONS CENTER (EOC)

Councilmember training was continued to a future date.

14. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:35 p.m. by consensus of the Council.

Respectfully submitted,

Karen Jost  
City Clerk

The minutes of the October 12, 2006 regular City Council meeting were approved as presented at the October 26, 2006 regular City Council meeting.